

[65] [The readers of the Register are respectfully informed, that the Index to Vol. XXIII. is ready for delivery; and that for Vol. XXIV. will be delivered next week.]

ANSWER TO THE BOURBON PROCLAMATION.

This document having been published so often by those persons, who are so eager for overthrowing the present ruler and government of France, I think proper to publish what I deem an answer to it; first inserting here, for the convenience of my readers, the Proclamation itself. A few preliminary observations, however, appear necessary.

—First, I must observe, that the Bourbons are by no means to be *blamed* for this act, in itself considered. It is perfectly natural in them to wish to recover their former state, and no one can deny them the perfect right of using such means as this to accomplish their object; more especially as the French people do now submit to the government of a monarch, having laid aside their Republican institutions. — But, having premised thus, we have an equal right to examine the views of those by whom the Proclamation was issued, and to offer our opinions upon it and upon the probable effect of its success. The House of Bourbon having invited the French people to return under its sway, we have a right, and it is our duty, if we have the means in our hands, to shew what was the nature and effect of their government in France; and to inquire, whether it be, or be not, likely, that the people of that country would be made more happy by returning to them, than they are under the new dynasty. — We have so long been in fear of France; her government, under one form and another, has so long appeared to us to be a terrific object, that we have, at last, forgotten, or we seem to have forgotten, what the *old government* of France was. We have been ashamed to acknowledge, that our hatred of the new government arose out of *our fear* of it; and, therefore, we have, for twenty years, been speaking of it as being a most horrible despotism, affecting to lament its existence out of our

generous compassion for the people of France, whom, however, at times, we have reproached with *baseness* for submitting to such unparalleled oppression. — Thus have the mass of the people, who adopt, without any inquiry, the sentiments delivered out to them, through the various and endless channels of deception, come habitually to the conclusion, that the governments of France, since the Revolution began, has been a series of despotisms; and, that, before that period, the people of that country enjoyed a state of comparative blessedness. — Lately, indeed, as the prospect of humbling France approached, the tone of these censors of her governments has been a good deal changed. They now profess to see danger in the *greatness* and *prosperity* of France. But, the delusion has taken fast hold of the country. The general belief is what I have described it; and, it is my intention to show, in this paper, how the *facts* really stand. — The following is the Bourbon Proclamation, which has been published three or four times by the papers, which generally speak in favour of all the acts of our government.

“The moment is at length arrived when
“*Divine Providence* appears ready to break
“in pieces the instrument of its wrath.
“The Usurper of the Throne of *St. Louis*,
“the devastator of Europe, experiences
“reverses in his turn. Shall they have
“no other effect but that of aggravating
“the calamities of France; and will she
“not dare to overturn an odious power, no
“longer protected by the illusions of vic-
“tory? What prejudices, or what fears,
“can now prevent her from throwing her-
“self into the arms of her King; and
“from recognising, in the establishment of
“his legitimate authority, the only pledge
“of union, peace, and happiness, which
“his promises have so often guaranteed to
“his oppressed subjects. — Being neither
“able, nor inclined to obtain, but by
“their efforts, that throne which his rights
“and their affection can alone confirm,
“what wishes should be adverse to those
“which he has invariably entertained?
“What doubt can be started with regard

"to his paternal intentions?—The King
 "has said in his preceding declarations,
 "and he reiterates the assurance, that the
 "Administrative and Judicial bodies shall
 "be maintained in the plenitude of their
 "powers; that he will preserve their places
 "to those who at present hold them, and
 "who shall take the oath of fidelity to him;
 "that the Tribunals, Depositories of the
 "Laws, shall prohibit all prosecutions
 "bearing relation to those unhappy times
 "of which his return will have for ever
 "sealed the oblivion; that, in fine, the
 "code polluted by the name of Napoleon,
 "but which, for the most part, contains
 "only the ancient ordinances and customs
 "of the realm, shall remain in force, with
 "the exception of enactments contrary to
 "the doctrines of religion, which, as well
 "as the liberty of the people, has long
 "been subjected to the caprice of the ty-
 "rant.—The Senate, in which are seated
 "some men so justly distinguished for their
 "talents, and whom so many services may
 "render illustrious in the eyes of France,
 "and of posterity—that corps, whose uti-
 "lity and importance can never be duly
 "appreciated till after the restoration—can
 "it fail to perceive the glorious destiny
 "which summons it to become the first in-
 "strument of that great benefaction which
 "will prove the most solid, as well as the
 "most honourable guarantee of its existence
 "and its prerogatives?—On the subject
 "of property, the King, who has already
 "announced his intention to employ the
 "most proper means for conciliating the
 "interests of all, perceives in the nume-
 "rous settlements, which have taken place
 "between the old and the new land-
 "holders, the means of rendering those
 "cares almost superfluous. He engages,
 "however, to interdict all proceedings by
 "the Tribunals, contrary to such settle-
 "ments,—to encourage voluntary arrange-
 "ments, and, on the part of himself and
 "his family, to set the example of all those
 "sacrifices which may contribute to the re-
 "pose of France, and the sincere union of
 "all Frenchmen.—The King has guar-
 "anteed to the army the maintenance of
 "the ranks, employments, pay, and ap-
 "pointments which it at present enjoys.
 "He promises also to the Generals, Officers,
 "and soldiers, who shall signalize them-
 "selves in support of his cause, rewards
 "more substantial, distinctions more ho-
 "nourable, than any they can receive from
 "an Usurper,—always ready to disown,
 "or even to dread their service. The

"King binds himself anew to abolish that
 "pernicious conscription, which destroys
 "the happiness of families and the hope of
 "the country.—Such always have been,
 "such still are the intentions of the King.
 "His re-establishment on the throne of his
 "ancestors will be for France only the
 "happy transition from the calamities of a
 "war which tyranny perpetuates, to the
 "blessings of a solid peace, the guarantee
 "of which foreign Powers can only find
 "in the word of the legitimate Sovereign.

"Louis."

To take this paper in the order, in which
 it lies before us, we find, then, according
 to it, that all that Napoleon has done, he
 has done under the sanction of *Divine Pro-
 vidence*, whose instrument he has been. If
 this be the case, is it not rather bordering
 upon the impious to call him an *usurper*,
 seeing that he has acted under the imme-
 diate direction of the Deity? Is it not sin-
 ful to attempt to cast blame on him for hav-
 ing done that which God wished him to do;
 nay that God forced him to do? The At-
 torney General, Gibbs, who is now Judge
 Gibbs, did not prosecute *my pen* for having
 written the article about the flogging of the
 Local Militia-men at the town of Ely. He
 did not prosecute the *instrument*, nor did
 he harangue against it. He prosecuted
me, who used the instrument, and the
 Judges caused *me* to be imprisoned for two
 years, and to pay a thousand pounds to our
 good old King. Yet, upon the principle,
 with which this Proclamation sets out, it
 was the *pen*, and not I, who ought to have
 been prosecuted. In short, if Napoleon be
 held to have done what he has done at the
 instigation of God; if he has been a mere
 instrument in the hands of God, it cannot
 be doubted, that it is great and flagrant
 impiety to blame, much more to abuse
 him, for what he has done, or, rather, for
 what he has been the instrument in doing.
 —If a master command his servant to
 contract debts in his name; if the servant,
 by the master's command, commit a tres-
 pass; if a coachman drive wantonly over
 sheep or pigs by his master's order; the
 laws are open against the master and not
 against the servant. The maxim of the
 law, in this respect, is: "He who does
 "an act by the hands of another, does it
 "himself." Couple this with the asser-
 tion of the Proclamation, and we shall
 find, that, according to this doctrine, it is
Divine Providence who has done, who has
 been the *real doer*, of all that we have at-
 tributed to Napoleon; and that all which

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Sir Robert Wilson's book falsely ascribes to him, if it had been true, would have been attributable to Divine Providence, and not to Buonaparté, any more than my flogging publication was attributable to my pen.—The *Times* news-paper, of a few days ago, under the name of a person of the name of BRADON, asserts, in addition to all the other abominable falsehoods vomited forth against this great soldier and legislator, that he cursed, in Italy, many thousands of persons to be *buried alive*, even soldiers of his own army. But, supposing this to be as true as it is false, does not this Proclamation sanction the deed, by asserting that Napoleon has been an instrument of the wrath of Divine Providence? That is to say, by asserting, that God forced him to bury these people alive? Nay, it asserts, in fact, *that God did the act*; because no act can be said to be done by the tool made use of in doing it; and because the law says, that "he who does an act by another, does it himself."—What injustice, upon the principle of this Proclamation, is it, therefore, to call for *vengeance*; for punishment; and even for the *Divine vengeance*; upon the head of Napoleon? For, if men are so wicked, so impious, as to wish to punish a fellow man for having executed the will of God, what a horrible idea is it, that God should punish a man for doing what he himself has induced him, enabled him, and *compelled* him to do?—But, the Proclamation goes further; for, it not only asserts, that Napoleon has been an instrument in the hands of God, but says, that he has been an instrument of God's *wrath*. This embraces all the acts of *severity* imputed to Napoleon and his armies. It was, according to this Proclamation, God who made him go to Moscow; to upset the Bourbons in Spain; to kill the Duke of Brunswick; to capture Berlin and Vienna; to drive out the King and Queen of Naples; to eject the Italian Princes; to take away the dominions and power of the Pope; and to keep the Bourbons from their throne. According to the principle of the Proclamation, all these persons and places *merited* what has been done to them, unless the authors of it are ready to say, that Divine Providence has been *unjust*.—At any rate, if we adopt this principle, we must acquit Napoleon of all blame; and, if we suppose the people of France to be endowed with only common sense, and a very small portion even of that, we must suppose, that they will see the matter in the same light.—The Pro-

clamation promises, that the persons holding the *administrative* and *judicial powers* shall *keep their places*. It promises the same as to the *Senate*. Now, either these persons are the best that could have been found in France, or, they are not. If the latter, is it just to keep them in their places? If they are not fit persons, and do not properly administer the laws, would it not be a detestable act to keep them where they are, and to leave the property and lives of the people at their disposal? And, if they are the fittest men that could be found in France; if they do take good care of the property and lives of the people, what can the people of France wish for *more*? And what are they to get from the proposed change? What does this proposition offer them but a mere change of sovereigns, without any offer, without any hope, of being *better*, with a *risk*, at least, of being *worse off*?—When one man, in common life, wishes to supplant another, be it in whatsoever line it may, he offers to the parties interested some *advantage* or other. Let me, says A to B, supply you with shoes instead of C. *For what?* says B. Why, says A, you shall have your shoes of the same quality cheaper; or, of a better quality at the prices of C. Here is a motive for the change; but, what *motive* does the Proclamation hold out? None at all, if we except the mighty consideration of being again under the sway of the descendants of *St. Louis*; and, I dare say, that, by this time, the people of France have very little preference for the persons of *sainted kings*.—But, the *Senate* is to remain; and, moreover, it is designated as containing men *justly distinguished by their talents and their services*.—Be it, in the first place, remembered, that it was Napoleon who instituted this body; that it was he who chose these men of talents and of services; that, in short, it was he who made this very thing, which the Bourbons promise to support.—The writers of the Proclamation may, indeed, say, that it was not *he*, but God through him; so that here he would not appear as the instrument of God's *wrath*, but of his blessings. However, if you deprive him of the *merit* here, you must, in common conscience, exonerate him from the *blame* as to all the rest of his acts, and must suppress all your vindictive wishes against him.—But, leaving Divine Providence, for the present, out of the question, what *motive* is there here held out to the people of France to accept of the offer of the Bourbons? They are told, that

the Senate contains men of great talents and virtues, and that it shall remain a part of the government. Well, then, the people of France need *no change* whatever to secure to them the services of the Senate. They have the Senate now. They are promised nothing *more*; and, they may very reasonably suppose, that no one is so likely to preserve this body as he who has created it. The offer, in short, which they here have again, is that of a *risk* of loss, without even the hope of any gain to counterbalance that risk.—Was there ever, in the whole world, any man, in his senses, that accepted of such an offer? Men very often give the ready money out of their hands, and risk the loss of it upon a promissory note; but, as a compensation for this risk, they have the interest of their money, which, by lying dead in their hands, would bring them nothing. But, who changes his money against a promise to be paid the same sum again? Who ever voluntarily runs a *risk* without the hope of *gain*?—The same observations apply to the promise, made in the Proclamation, as to the ownership of *property*.—It “engages to interdict all proceedings in the Tribunals, contrary to the settlements now in existence.”—This refers to the property, which includes a great part of all the lands of France, which was, by the Republican government, taken from the Crown, the Church, and the Nobility, and sold to individuals.—What will these proprietors say, in answer to such a promise? I know very well what I should say, if I were one of them. I should answer thus: ‘You *may* be perfectly sincere, but I do not *know* that you are; and, if I *knew* you to be sincere, I should not know, that you would have the *power* to act according to your intentions. If you are restored, you must restore the Nobility and the Church; and, what would these be without property? Be your intentions, therefore, what they may, I cannot be certain, that they will be acted upon, and that your promise will be fulfilled. But, I know that I *have* my property now; I know, that the quiet possession of it is secured to me, not only by the settled laws, but by the interests of all my rulers, great and small. I know, that, if no change take place in my rulers, my property is safe. I know, that I cannot *gain* by your offer; and I know, that I *risk the loss of my all*. Therefore, I not only reject any proposition, tending to shift the government into your

hands; but, common sense, self-preservation, dictate to me to make every exertion in my power to prevent such a change.’—To the *Generals and Soldiers*, indeed, who shall *signalize themselves in his cause*, the King offers rewards *more substantial*, distinctions *more honourable*, than those they possess. That is to say, he will reward them if they will, by means of a civil war, or any other means in violation of their oath to Napoleon; to him who has *created the Tribunals and Senate* (which are to remain) assist in restoring the Bourbons! However, there is *something* in this. *More* is offered than what is at present enjoyed. But to *whom*? Why, to that part of the nation who have *arms in their hands*. To those who have little, or nothing, to lose; to those, who, before they accept of the offer, must betray him, to whom they have sworn fidelity; to those who have it in their power, perhaps, *to compel the people to risk the loss of their property* in exchange for a promise, which the promiser will not, perhaps, have the power to fulfil.—If this offer be calculated to gain the army, I am sure it is calculated to excite indignation in the rest of the people; and that, upon the whole, it must make more against the Bourbons than for them.—We now come to the most important promise of all: namely, **TO PRESERVE THE CODE NAPOLEON**.—We will pass over the words, “*polluted by the name Napoleon*,” as a silly expression, interpolated, let us hope, by some cock-a-hoop parasite, and not emanating from the mind of Louis XVIII, of whom I would avoid speaking with any degree of disrespect, and the sincerity of whose intentions I do not wish to call in question. To the same source we will impute the strange assertion, that *this Code*, “for the most part, contains only the *ancient ordinances and customs* of the realm;” for, to ascribe this assertion to Louis XVIII, would be to do him great dishonour, seeing that nothing was ever more untrue.—We shall, by-and-by, see what those “*ancient ordinances and customs*” were; we shall see how they ground an industrious, an ingenious, a gallant people, in the fairest part of the world, down into slaves of the lowest cast; how they peopled the galleys and the jails; how they spread misery and death around them. And those who have read the Code Napoleon, civil as well as criminal, know, that it has completely abolished those horrible laws and customs.—But, for the

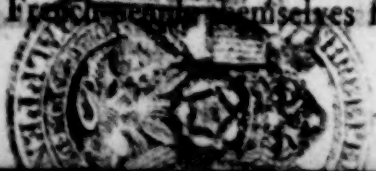
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sake of the argument, and to place the value of this promise as high as possible, let us, for the present, suppose all the interlarded assertions to be true.—If it be true, then, that Napoleon has formed a code, for the most part consisting of the ancient ordinances and customs of the realm, only that these are here so embodied and arranged as to give them a more uniform effect, and a more easy application, with what justice: . . . no, I will not talk of *justice* in a case where he is the object of attack; but, with what *consistency*; with what *sense*, is coupled with this assertion, the assertion that his government is that of a *capricious tyrant*? If he rule by the *same laws* that the Bourbons ruled by, and, if he be a *capricious tyrant*, what were they? And, what is still more worthy of being asked, what do they *intend to be*, if they intend to govern by the same code which *he has established*?—Here, as in the former instances, there is a *risk* of loss, without the offer of any *gain*, even contingent. Either the Code, as it now stands, is good or bad. If bad, what motive is held out to the people to make a change which is only to perpetuate it? If good, what motive to run even the slightest risk of losing it, or of seeing it impaired? Is it reasonable to suppose, that the people of France will think this Code safer in the hands of those, who wish to overthrow and utterly destroy him who has established it, than in the hands of that person himself?—The promise, in this case, as in all the others, amounts to nothing more than that of *not injuring* the people of France; but, to this generous, this munificent promise, there is, in the present case, a *reservation*; yes, a reservation tacked by way of rider even to a promise, which, in its greatest extent is no more than a *negative*.—There is an *exception* made with regard to the *doctrines of religion*.—Some priest must have advised this. The good sense of Louis XVIII, and his sufferings from this source more than from any other, would surely have prevented him from the making of this exception. —What is meant by “the *doctrines of religion*?” The Code Napoleon does not meddle with those *doctrines* in any other way than as it leaves every man to follow his own opinions as to religion, and compels no man to belong to any particular sect, except the Royal Family, whose religion is to be that of the Roman Catholic. This exception, therefore, leaves room, and very little would be wanted to inge-

nious priests, to make the *property of the church* closely connected with the doctrines of religion; and thus, without any breach of promise, the whole of those persons who have purchased that property, might be left to beg their bread, not without some danger of being punished as heretics.—Here, at any rate, the Proclamation is a denunciation against the proprietors; and the only thing that astonishes one is, how any man in his senses could suppose it likely to seduce the people of France from their present ruler.—After all, and upon a review of the whole matter, what does this Proclamation amount to? What does it hold out to the people of France? What boon does it promise them? What are the blessings which they are to enjoy if they accept of the King's generous offer? Why, they are to enjoy the same property which they now enjoy; the same degree of liberty; the same law-makers; the same laws; the same executors of those laws; and the same army. This is the offer; this is the boon tendered to them; these are the only blessings, which an exiled king can find out to promise his people as a reward for their undertaking a civil war for his restoration.—Is it possible for the mind of man to invent a higher compliment to the person who now governs France? Is it possible to discover more forcible means of convincing them, that they ought to venture the shedding of the last drop of their blood to maintain the government of that person?—And, I should be glad to hear what can be said by those unprincipled men, in this country, who are incessantly crying out against the “tyranny” of Napoleon, when they see it, in so solemn a manner, avowed by him whom they call the King of France, that, if restored to his throne, the utmost that he can promise is to secure to his people that which they now enjoy under this same Napoleon? One would think, that, if this Proclamation be calculated to produce no other good effect, it might produce that of striking dumb their calumnious impudence.—But (I had nearly overlooked it) there is one thing, promised by the Proclamation, which, though still of a *negative* kind, would make a *change for the better*; namely; the promise to *abolish the conscription*. Yes, and so will Napoleon, when he has made peace. The conscription is founded on no established law; it is not a thing of permanent duration; it is to meet the emergencies of war; and, though we affect not to perceive the fact, it is, and must be, well known

to the people of France.——Besides, what is a *conscription*? What is it but a *ballot for military service*? And, have not *we* ballots for military service? The nature of the service differs in some degree; but are not *we* too compelled to wear soldiers' clothes, to carry arms, and to submit to military discipline and law, and to be flogged too, if we disobey that law?——I shall be told, that we are not compelled to go on *foreign* service. Ours is an island. France is not so situated. If our Local militia were in France, they would, if in a county on the frontier, be liable to meet the enemy. Besides, the arming of men always must suppose the possibility, and even the *strong probability*, of their being called upon to use those arms; else why are they armed at all? Why are they compelled to submit to military law?——So that, after all, this conscription; this ballot for military service, an end of which is the only thing which the Proclamation speaks of as a change for the better, amounts to just nothing at all; besides, that the conscription falls indiscriminately upon the whole nation, while, as we shall soon see, the ballot for the militia did, under the Bourbons, fall upon the common people only.——So much, then, for this famous, this published and re-published Proclamation, which, as, I think, I have clearly shown, taking it in its best light, supposing the Bourbons to be perfectly sincere in their professions, and to have full power to give effect to their intentions, is calculated to unite the French nation as one man in defence of their present ruler and his house, instead of inducing them to side with those who wish to overthrow him.——But, in estimating the probable power of this document in effecting the object which it has in view, we must not, blind as we are, quite overlook its local origin and the channels, through which it is passing, and by which it is recommended to the people of France. They will not fail to perceive, that it comes to them (supposing them to see it) from *England*. If they read it in the *Times* news-paper, or in the *Courier*, or in almost any of our prints, they will see it accompanied with the most outrageous attacks upon themselves. They will also see, that those very persons, who patronise this Proclamation, do, in the very same prints, breathe destruction, not only to Napoleon, but to the power of the French nation; that they insist upon the necessity of humbling, reducing, punishing the French people themselves for their past

actions. The people of France, putting these facts together; seeing that the Proclamation is applauded and circulated by those, who wish to see them punished, will not fail to draw the appropriate conclusion.——We might now leave this Proclamation to make its way in the world. But, justice to the Emperor Napoleon; and, a still more powerful motive, justice to the people of France, who seem to remain firm in their attachment to him; these demand an inquiry into the nature and effect of the Bourbon government; into the situation of the people of that fine country, while they were ruled by those ancient *Ordinances and Customs*, of which the Proclamation says, the Code Napoleon, for the most part consists.——WHAT, then, were those *Ordinances and Customs*? How did they affect this industrious and gallant people? Were they free and happy, or were they slaves, and miserable, under those *Ordinances and Customs*? It is notorious, that, for ages, previous to the French revolution, we, in this country, constantly described the French as slaves; our histories, our moral essays, our political writings, our poems, our plays, all describe them as slaves, and as cowards for submitting to such a government as then existed. Now, indeed, our conductors of news-papers, with a degree of impudence absolutely without parallel, abuse the French people for having destroyed the *PATERNAL sway of the Bourbons*!——Let us now see, then, what was the nature of that "*paternal sway*;" and, when we have taken a full view of it, and of its effects, we shall be able to judge, whether it be probable, that the people of France will listen to those, who are endeavouring to bring them back to the blessings of that "*paternal sway*."——But, how are we to get at a *true* account of the nature and effects of the Bourbon government? We must resort to some *authority*; to somebody's word, whose word is to be relied on.——The authority, to which I am about to refer, is that of Mr. ARTHUR YOUNG, who is, and who has been, for many years past, *Secretary to the Board of Agriculture*, with a salary, paid by the public, of £500 a year.——Mr. Young is, in the first place, a man of great talents; and, perhaps, it is impossible to find out a person so fit to be referred to as Mr. Young. His studies had been of that kind, which peculiarly fitted him for an inquiry of this description; and, he was in France at precisely the time for making it.



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He made, during the years 1787, 1788, and 1789, an agricultural and politico-economical survey of the kingdom of France. He was there when the revolution began; he was there during its progress until the new constitution was formed. He was not only living in great intimacy with many of the most respectable leaders in that work; but, he himself, crossing the kingdom in all directions, made himself minutely acquainted, by the means of personal inquiry and the evidence of his senses, of every particular, relating to the nature and effect of those "*ancient Ordinances and Customs*," of which the Bourbon Proclamation boasts. —During his travels, he gives an account of these, by citing numerous instances, of the abominable tyranny, under which the people groaned; and, at the close of his work, he publishes *reflections on the Revolution*, beginning with a summary description of the state of the people under the Bourbon government, and, to the evidences of his own observation, adding, as he proceeds, the complaints, contained in the *Cahiers*, that is to say, the lists of complaints, made to the National Assembly by the most respectable people of the different provinces, to which *Cahiers* he refers in the notes. —This part of Mr. Young's work, I am now about to insert. I beg the reader to go through it with attention. He will see how every part of it applies to the subject on which we are, and also to the present crisis. —When he has read it to the end, not omitting the *Notes*, I shall have to trouble him with some further observations of my own.

ON THE REVOLUTION OF FRANCE.

"The gross infamy which attended *lettres de cachet* and the Bastile, during the whole reign of Louis XV. made them esteemed in England, by people not well informed, as the most prominent features of the despotism of France. They were certainly carried to an excess hardly credible; to the length of being sold, with blanks, to be filled up with names at the pleasure of the purchaser; who was thus able, in the gratification of private revenge, to tear a man from the bosom of his family, and bury him in a dungeon, where he would exist forgotten, and die unknown!" —But such

excesses could not be common in any country; and they were reduced almost to nothing, from the accession of the present King. The great mass of the people, by which I mean the lower and middle ranks, could suffer very little from such engines, and as few of them are objects of jealousy, had there been nothing else to complain of, it is not probable they would ever have been brought to take arms. The abuses attending the levy of taxes were heavy and universal. The kingdom was parcelled into generalities, with an intendant at the head of each, into whose hands the whole power of the crown was delegated for every thing except the military authority; but particularly for all affairs of finance. The generalities were subdivided into elections, at the head of which was a *sub-delegué*, appointed by the intendant. The rolls of the *taille*, *capitation*, *vingtièmes*, and other taxes, were distributed among districts, parishes, and individuals, at the pleasure of the intendant, who could exempt, change, add, or diminish, at pleasure. Such an enormous power, constantly acting, and from which no man was free, must, in the nature of things, degenerate in many cases into absolute tyranny. It must be obvi-

ambassador in France, about the year 1753, negotiating the fixing of the limits of the American colonies, which, three years after, produced the war, calling one day on the minister for foreign affairs, was introduced, for a few minutes, into his cabinet, while he finished a short conversation in the apartment in which he usually received those who conferred with him. As his lordship walked backwards and forwards, in a very small room (a French cabinet is never a large one), he could not help seeing a paper lying on the table, written in a large legible hand, and containing a list of the prisoners in the Bastile, in which the first name was Gordon. When the minister entered, Lord Albemarle apologized for his involuntarily remarking the paper; the other replied, that it was not of the least consequence, for they made no secret of the names. Lord A. then said, that he had seen the name of Gordon first in the list, and he begged to know, as in all probability the person of this name was a British subject, on what account he had been put into the Bastile. The minister told him, that he knew nothing of the matter, but would make the proper inquiries. The next time he saw Lord Albemarle, he informed him, that, on inquiring into the case of Gordon, he could find no person who could give him the least information; on which he had had Gordon himself interrogated, who solemnly affirmed, that he had not the smallest knowledge, or even suspicion, of the cause of his imprisonment, but that he had been confined 30 years; however, added the minister, I ordered him to be immediately released, and he is now at large. Such a case wants no comment.

* An anecdote, which I have from an authority to be depended on, will explain the profligacy of government, in respect to these arbitrary imprisonments. Lord Albemarle, when

ous, that the friends, acquaintances, and dependants of the intendant, and of all his *sub-delegués*, and the friends of these friends, to a long chain of dependance, might be favoured in taxation at the expense of their miserable neighbours; and that noblemen, in favour at court, to whose protection the intendant himself would naturally look up, could find little difficulty in throwing much of the weight of their taxes on others, without a similar support. Instances, and even gross ones, have been reported to me in many parts of the kingdom, that made me shudder at the oppression to which numbers must have been condemned, by the undue favours granted to such crooked influence. But, without recurring to such cases, what must have been the state of the poor people paying heavy taxes, from which the nobility and clergy were exempted? A cruel aggravation of their misery, to see those who could best afford to pay, exempted because able! —The inrolments for the militia, which the *cahiers* call an *injustice without example*,^b were another dreadful scourge on the peasantry; and, as married men were exempted from it, occasioned in some degree that mischievous population, which brought beings into the world, in order for little else than to be starved. The *corvées*, or police of the roads, were annually the ruin of many hundreds of farmers; more than 300 were reduced to beggary in filling up one vale in Lorraine: all these oppressions fell on the *tiers état* only; the nobility and clergy having been equally exempted from *tailles*, militia, and *corvées*. The penal code of finance makes one shudder at the horrors of punishment inadequate to the crime.^c A few features will sufficiently characterize the old government of France.

^b Nob. Briey, p. 6, &c. &c.

^c It is calculated by a writer (*Recherches et Consid. par M. le Baron de Cormé, tom. ii. p. 187.*) very well informed on every subject of finance, that, upon an average, there were annually taken up and sent to prison or the galleys, Men, 2,310. Women, 896. Children, 201. Total, 3,437. 300 of these to the galleys (tom. i. p. 112). The salt confiscated from these miseries amounted to 12,633 quintals, which, at the mean price of 8 liv. are

2,772 lb. of salted flesh, at 10 s.	1,386
1,086 horses, at 50 liv.	54,300
52 carts, at 150 liv.	7,800
Fines, - - - - -	53,207
Seized in houses, - - - - -	105,530
	<hr/> 323,287

1. Smugglers of salt, armed and assembled to the number of five, in Provence, a fine of 500 liv. and nine years galleys;—in all the rest of the kingdom, death.

2. Smugglers armed, assembled, but in number under five, a fine of 300 liv. and three years galleys. Second offence, death.

3. Smugglers, without arms, but with horses, carts, or boats; a fine of 300 liv. if not paid, three years galleys. Second offence, 400 liv. and nine years galleys.—In Dauphiné, second offence, galleys for life. In Provence, five years galleys.

4. Smugglers, who carry the salt on their backs, and without arms, a fine of 200 liv. and, if not paid, are flogged and branded. Second offence, a fine of 300 liv. and six years galleys.

5. Women, married and single, smugglers, first offence, a fine of 100 liv. Second, 300 liv. Third, flogged, and banished the kingdom for life. Husbands responsible both in fine and body.

6. Children smugglers, the same as women.—Fathers and mothers responsible; and for defect of payment flogged.

7. Nobles, if smugglers, deprived of their nobility; and their houses rased to the ground.

8. Any persons in employments (I suppose employed in the salt-works or the revenue), if smugglers, death. And such as assist in the theft of salt in the transport, hanged.

9. Soldiers smuggling, with arms, are hanged; without arms, galleys for life.

10. Buying smuggled salt to resell it, the same punishments as for smuggling.

11. Persons in the salt employments, empowered if two, or one with two witnesses, to enter and examine houses even of the privileged orders.

12. All families, and persons liable to the *taille*, in the provinces of the *Grandes Gabelles* inrolled, and their consumption of salt for the *pot and salière* (that is, the daily consumption, exclusive of salting meat, &c. &c.) estimated at 7lb. a head per annum, which quantity they are forced to buy whether they want it or not, under the pain of various fines according to the case.

The *Capitaineries* were a dreadful scourge on all the occupiers of land. By this term, is to be understood the paramountship of certain districts, granted by the king, to princes of the blood, by which they were put in possession of the property of all game, even on lands not belonging to them; and, what is very singular, on manors granted

long before to individuals: so that the erecting of a district into a *capitainerie*, was an annihilation of all manerial rights to game within it. This was a trifling business, in comparison of other circumstances: for, in speaking of the preservation of the game in these *capitaineries*, it must be observed, that by game must be understood whole droves of wild boars, and herds of deer not confined by any wall or pale, but wandering, at pleasure, over the whole country, to the destruction of crops; and to the peopling of the galleys by the wretched peasants, who presumed to kill them, in order to save that food which was to support their helpless children. The game in the *capitainerie* of Montceau, in four parishes only, did mischief to the amount of 184,263 liv. per annum.^a No wonder then that we should find the people asking, "*Nous demandons à grand cris la destruction des capitaineries & celle de toute sorte de gibier.*" And what are we to think of demanding, as a favour, the permission—" *De Nettoyer ses grains de fauchier les prés artificiels, & d'enlever ses chaumes sans égard pour la perdrix ou tout autre gibier.*" Now, an English reader will scarcely understand it without being told, that there were numerous edicts for preserving the game which prohibited weeding and hoeing, lest the young partridges should be disturbed; steeping seed, lest it should injure the game; manuring with night soil, lest the flavour of the partridges should be injured by feeding on the corn so produced; mowing hay, &c. before a certain time, so late as to spoil many crops; and taking away the stubble, which would deprive the birds of shelter. The tyranny exercised in these *capitaineries*, which extended over 400 leagues of country, was so great, that many *cahiers* demanded the utter suppression of them.^b

^a *Cahier du tiers état de Meaux*, p. 49.

^b *De Mantes and Meulan*, p. 40.—Also, *Nob. & Tier Etat de Peronne*, p. 42. *De Trois ordres de Montfort*, p. 28.—That is: "We most earnestly pray for the suppression of the *Capitaineries*, and that of all the game laws."

^c *De Mantes and Meulan*, p. 38.—That is to say, "the favour to weed their corn, to mow their upland grass, and to take off their stubble, without consulting the convenience of the partridges, or any other sort of game."

^d *Clergé de Provins & Montcreau*, p. 35.—*Clergé de Paris*, p. 25.—*Clergé de Mantes & Meulan*, p. 45, 46.—*Clergé de Laon*, p. 11.—*Nob. de Nemours*, p. 17.—*Nob. de Paris*, p. 22.—*Nob. d'Arras*, p. 29.

Such were the exertions of arbitrary power which the lower orders felt directly from the royal authority; but, heavy as they were, it is a question whether the others, suffered circuitously through the nobility and the clergy, were not yet more oppressive? Nothing can exceed the complaints made in the *cahiers* under this head. They speak of the dispensation of justice in the manerial courts, as comprising every species of despotism: the districts indeterminate—appeals endless—irreconcilable to liberty and prosperity—and irrevocably proscribed in the opinion of the public—augmenting litigations—favouring every species of chicane—ruining the parties—not only by enormous expenses on the most petty objects, but by a dreadful loss of time. The judges commonly ignorant pretenders, who hold their courts in *cabarets*, and are absolutely dependant on the seigneurs. Nothing can exceed the force of expression used in painting the oppressions of the seigneurs, in consequence of their feudal powers. They are "*vexations qui sont le plus grand fléau des peuples.*"—"*Esclavage affligeant.*"—"*Ce régime désastreux.*"—That the *feodalité* be for ever abolished. The countryman is tyrannically enslaved by it. Fixed and heavy rents; vexatious processes to secure them; appreciated unjustly to augment them: rents, *solidaires*, and *revenchables*; rents, *chéantes*, and *levantes*; *sumages*. Fines at every change of the property, in the direct as well as collateral line; feudal redemption (*retraite*); fines on sale, to the 8th and even the 6th penny; redemptions (*rachats*) injurious in their origin, and still more so in their extension: *banalité* of the mill,^e of the oven, and of the wine and cyder-press; *corvées* by custom; *corvées* by usage of the fief; *corvées* established by unjust

^e *Rennes*, art. 12.

^f *Neversois*, art. 43.

^g *Tiers Etat de Vannes*, p. 24.—That is: "Vexations which are the greatest scourge of the people."

^h *T. Etat Clermont Ferrand*, p. 52.—That is: "Cruel Slavery."

ⁱ *T. Etat. Auxerre*, art. 6.—That is: "This ruinous system of governing."

^j By this horrible law, the people are bound to grind their corn at the mill of the seigneur only; to press their grapes at his press only; and to bake their bread in his oven; by which means the bread is often spoiled, and more especially wine, since in Champagne those grapes which, pressed immediately, would make white wine, by waiting for the press, which often happens, make red wine only.

decrees; *corvées* arbitrary, and even phantastical; servitudes; *prestations*, extravagant and burthensome; collections by assessment incollectible; *aveux*, *minus*, *impunissements*; litigations ruinous and without end: the rod of seigneurial finance for ever shaken over our heads; vexation, ruin, outrage, violence, and destructive servitude, under which the peasants, almost on a level with Polish slaves, can never but be miserable, vile, and oppressed.^o They demand also, that the use of hand-mills be free; and hope that posterity if possible, may be ignorant that feudal tyranny in Bretagne, armed with the judicial power, has not blushed even in these times at breaking hand-mills, and at selling annually to the miserable, the faculty of bruising between two stones a measure of buck-wheat or barley.^p The very terms of these complaints are unknown in England, and consequently untranslatable: they have probably arisen long since the feudal system ceased in this kingdom. What are these tortures of the peasantry in Bretagne, which they call *chevanchés*, *quintaines*, *soule*, *saut de poison*, *baiser de mariées*; *chansons*; *transporte d'œuf sur un charrette*; *silence des grenouilles*;^a *corvée à miséricorde*; *milods*; *leide*; *couponage*; *cartelage*; *barage*; *fouage*; *marechaussée*; *ban vin*; *ban d'abul*; *trousses*; *gelineage*; *civerage*; *taillabilité*; *vingtain*; *sterlage*; *borde-lage*; *minage*; *ban de vendanges*; *droit d'accaple*.^r In passing through many of the French provinces, I was struck with the various and heavy complaints of the farmers and little proprietors of the feudal grievances, with the weight of which their industry was burthened; but I could not then conceive the multiplicity of the shackles which kept them poor and depressed. I understood it better afterwards, from the conversation and complaints of some grand seigneurs, as the revolution advanced; and I then learned, that the principal rental of many estates consisted in services and feudal tenures; by the baneful influence of which, the industry of the people was almost exterminated. In regard to the oppressions

of the clergy, as to tithes, I must do that body a justice, to which a claim cannot be laid in England. Though the ecclesiastical tenth was levied in France more severely than usual in Italy, yet was it never exacted with such horrid greediness as is at present the disgrace of England. When taken in kind, no such thing was known in any part of France, where I made inquiries, as a tenth: it was always a twelfth, or a thirteenth, or even a twentieth of the produce. And in no part of the kingdom did a new article of culture pay any thing: thus turnips, cabbages, clover, chicoree, potatoes, &c. &c. paid nothing. In many parts, meadows were exempted. Silk worms nothing. Olives in some places paid—in more they did not. Cows nothing. Lambs from the 12th to the 21st. Wool nothing.—Such mildness, in the levy of this odious tax, is absolutely unknown in England. But mild as it was, the burden to people groaning under so many other oppressions, united to render their situation so bad that no change could be for the worse. But these were not all the evils with which the people struggled. The administration of justice was partial, venal, infamous. I have, in conversation with many very sensible men, in different parts of the kingdom, met with something of content with their government, in all other respects than this; but upon the question of expecting justice to be really and fairly administered, every one confessed there was no such thing to be looked for. The conduct of the parliaments was profligate and atrocious. Upon almost every cause that came before them, interest was openly made with the judges: and woe betided the man who, with a cause to support, had no means of conciliating favour, either by the beauty of a handsome wife, or by other methods. It has been said, by many writers, that property was as secure under the old government of France as it is in England; and the assertion might possibly be true, as far as any violence from the King, his ministers, or the great was concerned: but for all that mass of property, which comes in every country to be litigated in courts of justice, there was not even the shadow of security, unless the parties were totally and equally unknown, and totally and equally honest; in every other case, he who had the best interest with the judges, was sure to be the winner. To reflecting minds, the cruelty and abominable practice attending such courts

^o *Tiers Etat Rennes*, p. 159.

^p *Rennes*, p. 57.

^a This is a curious article: when the lady of the seigneur lies in, the people are obliged to beat the waters in marshy districts, to keep the frogs silent, that she may not be disturbed; this duty, a very oppressive one, is commuted into a pecuniary fine.

^r *Resumé des cahiers*, tom. iii. p. 316, 317.

are sufficiently apparent. There was also a circumstance in the constitution of these parliaments, but little known in England, and which, under such a government as that of France, must be considered as very singular. They had the power, and were in the constant practice of issuing decrees, without the consent of the crown, and which had the force of laws through the whole of their jurisdiction; and of all other laws, these were sure to be the best obeyed; for as all infringements of them were brought before sovereign courts, composed of the same persons who had enacted these laws (a horrible system of tyranny!) they were certain of being punished with the last severity. It must appear strange, in a government so despotic in some respects as that of France, to see the parliaments in every part of the kingdom making laws without the King's consent, and even in defiance of his authority. The English, whom I met in France in 1789, were surprised to see some of these bodies issuing arrets against the export of corn out of the provinces subject to their jurisdiction, into the neighbouring provinces, at the same time that the King, through the organ of so popular a minister as Mons. Necker, was decreeing an absolutely free transport of corn throughout the kingdom, and even at the requisition of the National Assembly itself. But this was nothing new; it was their common practice. The parliament of Rouen passed an arret against killing of calves: it was a preposterous one, and opposed by administration; but it had its full force; and had a butcher dared to offend against it, he would have found, by the rigour of his punishment, who was his master. Inoculation was favoured by the court in Louis XV.'s time; but the parliament of Paris passed an arret against it, much more effective in prohibiting, than the favour of the court in encouraging that practice. Instances are innumerable, and I may remark, that the bigotry, ignorance, false principles, and tyranny of these bodies were generally conspicuous; and that the court (taxation excepted), never had a dispute with a parliament, but the parliament was sure to be wrong. Their constitution, in respect to the administration of justice, was so truly rotten, that the members sat as judges, even in causes of private property, in which they were themselves the parties, and have, in this capacity, been guilty of oppressions and cruelties, which the crown has rarely dared to attempt.

It is impossible to justify the excesses of the people on their taking up arms; they were certainly guilty of cruelties; it is idle to deny the facts, for they have been proved too clearly to admit of a doubt. But is it really the people to whom we are to impute the whole?—Or to their oppressors, who had kept them so long in a state of bondage? He who chooses to be served by slaves, and by ill-treated slaves, must know that he holds both his property and life by a tenure far different from those who prefer the service of well treated freemen; and he who dines to the music of groaning sufferers, must not, in the moment of insurrection, complain that his daughters are ravished, and then destroyed; and that his sons' throats are cut. When such evils happen, they surely are more imputable to the tyranny of the master, than to the cruelty of the servant. The analogy holds with the French peasants—the murder of a seigneur, or a chateau in flames, is recorded in every news-paper; the rank of the person who suffers, attracts notice; but where do we find the register of that seigneur's oppressions of his peasantry, and his exactions of feudal services, from those whose children were dying around them for want of bread? Where do we find the minutes that assigned these starving wretches to some vile petty-fogger, to be fleeced by impositions, and a mockery of justice, in the seigneurial courts? Who gives us the awards of the intendant and his *sub-delegués*, which took off the taxes of a man of fashion, and laid them with accumulated weight, on the poor, who were so unfortunate as to be his neighbours? Who has dwelt sufficiently upon explaining all the ramifications of despotism, regal, aristocratic, and ecclesiastical, pervading the whole mass of the people; reaching, like a circulating fluid, the most distant capillary tubes of poverty and wretchedness? In these cases, the sufferers are too ignoble to be known; and the mass too indiscriminate to be pitied. But should a philosopher feel and reason thus? should he mistake the cause for the effect? and giving all his pity to the few, feel no compassion for the many, because they suffer in his eyes not individually, but by millions? The excesses of the people cannot, I repeat, be justified; it would undoubtedly have done them credit, both as men and christians, if they had possessed their new acquired power with moderation. But let it be remembered, that the populace in no country ever use power with moderation;

excess is inherent in their aggregate constitution: and as every government in the world knows, that violence infallibly attends power in such hands, it is doubly bound in common sense, and for common safety, so to conduct itself, that the people may not find an interest in public confusions. They will always suffer much and long, before they are effectually roused; nothing, therefore, can kindle the flame, but such oppressions of some classes or order in the society, as give able men the opportunity of seconding the general mass; discontent will soon diffuse itself around; and if the government take not warning in time, it is alone answerable for all the burnings, and plunderings, and devastation, and blood that follow. The true judgment to be formed of the French revolution, must surely be gained, from an attentive consideration of the evils of the old government: when these are well understood—and when the extent and universality of the oppression under which the people groaned—oppression which bore upon them from every quarter, it will scarcely be attempted to be urged, that a revolution was not absolutely necessary to the welfare of the kingdom. Not one opposing voice³ can, with reason, be raised against this assertion: abuses ought certainly to be corrected, and corrected effectually: this could not be done without the establishment of a new form of government; whether the form that has been adopted were the best, is another

³ Many opposing voices have been raised; but so little to their credit, that I leave the passage as it was written long ago. The abuses that are rooted in all the old governments of Europe, give such numbers of men a direct interest in supporting, cherishing, and defending abuses, that no wonder advocates for tyranny, of every species, are found in every country, and almost in every company. What a mass of people, in every part of England, are some way or other interested in the present representation of the people, tithes, charters, corporations, monopolies, and taxation! and not merely to the things themselves, but to all the abuses attending them; and how many are there who derive their profit or their consideration in life, not merely from such institutions, but from the evils they engender! The great mass of the people, however, is free from such influence, and will be enlightened by degrees; assuredly they will find out, in every country of Europe, that by combinations, on the principles of liberty and property, aimed equally against regal, aristocratical, and mobbish tyranny, they will be able to resist successfully, that variety of combination, which, on principles of plunder and despotism, is every where at work to enslave them.

question absolutely distinct. But that the above-mentioned detail of enormities practised on the people required some great change is sufficiently apparent."

Now, reader, that you have seen what were the nature and effects of the Bourbon government; and, that you have, doubtless, felt your heart bound with joy at the reflection, that the oppressed people rose against and destroyed it; let me ask you, what you think of the men, who, in English news-papers and other works, have the impudence to call upon us to wish for the restoration of that "*paternal sway*," under which this government existed?—But, says some one, that is not now the real question. What, then, is the real question? Why, say they, the real question is, whether the *present* government is not worse than the old one, without reference to the person at the head of either.—The Bourbons themselves have answered that question sufficiently; for they promise the people of France, that if they are restored, they will do what? Why, *maintain the laws and government as they now are*, a promise which they would not make, if they were not well convinced, that the people find the present laws and government *better* than the former laws and government.—This I take to be quite conclusive. But, we must not stop here. The Bourbons have asserted, in the most solemn manner, that the *Code Napoleon* consists chiefly of the "*Ancient Ordinances and Customs of the Realm*."—I have read the Code Napoleon, both civil and criminal. Any one may read the former in Mr. Bryant's excellent translation, accompanied with his own illustrations and remarks. Now, I say, and I defy any one to shew the contrary, that this Code, on the civil part of which Mr. Bryant, an English lawyer, has bestowed the highest eulogium, and on the criminal part of which the Edinburgh Reviewers have manfully ventured to speak as being, in many respects, *much preferable to our own criminal code*; I assert, that this Code, taking the two parts together, has completely done away *all the dreadful oppressions* described by Mr. Young in the above extract, which I have made from his work.—What, then, is meant, when it is said, that this Code consists, for the most part, of "*the ancient Ordinances and Customs of the Realm*?" And, why venture to

put forth such an assertion?—The letters de cachet; the game laws; the gabelles, the seigneurial jurisdiction; the arbitrary taxation; the accursed parliaments; the sale of Justice; the dominion and oppressions of the church; the cruel corvées; the endless vexations of the feudal system; the murderings of the provincial judges. All are done away, not a trace of them remains. Where, then, are we to look for those “ancient Ordinances and Customs,” which are said to be revived in the Napoleon Code? Taxation, heavy as it may be, is now uniform; it falls impartially upon the rich as well as upon the poor; all public expenses are borne by the general purse of the public; the law is the same in all parts of the country; judges are not of local origin, but proceed from the nomination of the crown; no man can be punished, or even imprisoned, for more than twenty-four hours, without substantial evidence of his guilt being made appear upon oath, to the satisfaction of, at least, two inferior judges. No man can be punished until found guilty by a jury, impartially taken, and not then, unless three out of five judges concur in the sentence. No man can be kept, in any case, more than three months in prison without being tried. The Judges of Assize sit every three months, and are compelled to decide all cases and causes before they quit the places of sitting respectively. The *Attornies General*, of which there is one in every district, are for the protection of the people, as well as of the rights of the Crown. If a house be robbed, for instance, information is immediately given of it to the Attorney General, who is personally to attend at the spot, collect the evidence, cause search to be made for the offender, and, if he be found, to bring him immediately before an inferior tribunal with a WRITTEN account of all the facts and of all the evidence on which he has proceeded. That inferior tribunal, consisting of not less than three Judges, are then to decide whether the evidence be such as to justify their commitment of the accused. They are not only to read the written account of the proceedings, but are to re-examine, upon oath, the several witnesses. If they find any difficulty in deciding, they themselves are to proceed to the spot where the offence has been committed. And, after all, unless two out of the three are for the commitment, the accused is set at liberty; and, in no case, can any one be confined more than

twenty-four hours, unless these Judges decide for his commitment.——Compare this with the operation of “the ancient Ordinances and Customs of the realm,” and say, who can, that the people of France are likely to wish for the return of the Bourbons.——I have read the Code Napoleon with great attention, and with not less admiration. Till I read it, I had no idea that it was possible for any Code of laws so effectually to provide for the security of property and of personal liberty.——The man who has been robbed, or otherwise injured criminally, has no trouble, no plague, no expense, to encounter in pursuit of the criminal. It is the duty of the Attorney General to do every thing necessary to detection and conviction, and the expense is wholly borne by the public. There is some sense in calling such an officer an *Attorney General*.——What, then, are we to think of those men, who are daily telling the people of England, that Napoleon has *thousands of Bastiles*? Who daily assert, that his government is a *military despotism*; that he imprisons and punishes people without any form of trial; that no man’s property or life is safe for a single hour: what are we to think of these men? Why, doubtless, that they are wholly ignorant of the subject on which they write, or, that they knowingly make use of the press for the promulgation of the most daring falsehoods.——Amongst the consequences of the improved situation of France, as to her laws and government, has been the wonderful progress of the sciences and the arts, in which respect it is notorious that that country has, within these twelve years, surpassed, in the midst of war, all the other nations of Europe put together, though many of them have, for a great part of that time, enjoyed profound peace. It is, therefore, not a little whimsical to hear the Allies holding out to the French people, that, by compelling their Emperor to come to their terms, the arts will be revived in France! It is probable that the quantity of skill in the sciences and arts, at this moment existing in France, greatly surpasses the aggregate quantity existing in all the rest of the world; a proof indubitable of the security of property and persons; a proof of the wisdom of the laws and the discernment of the person at the head of the government.——Do I approve, then, of the sort of government established in France? Is it the sort of government that I, if I could have my wish,

would like to see in that country?—Plainly I say, NO. I should like to see the government of France that which the *Convention* intended it to be. But I am speaking of what it *is*, compared with what *the old government was*; and, if prudence did not restrain my pen, I would speak of it as compared with what some *other governments now are*. We are not here speaking about *wishes*, but about *facts*. Our wishes ought not to be directed in favour of *this* or of *that* man, or nation, exclusively. We may be excused for wishing ourselves to be best off; but, our next wish ought to be on the side of the happiness of mankind.—With these facts, then, before us; with the view, which we have now taken of the situation, past and present, of the people of France; with this view in our eye, we have to decide, not whether the people of France are likely to desire the return of the Bourbons (for that must be a point settled in the negative, I think); but, whether they are likely to wish to put down Napoleon, and, as a natural consequence, whether the allies are likely to succeed ultimately against him.—It is said *here*, that there is no fear that the Bourbons would endeavour to restore the old government. There is no fear to *us*; but can the people of France see the thing in the same light? It is impossible. They must always associate the ideas of *gabelles*, *corvées*, and all the long list of oppressions, with the restoration of that family; and, I imagine, that it will be very difficult to persuade them, that that restoration is not inseparable from the success of the allies, who, though they do not use the *language* of the Duke of Brunswick, do, as he did, *invade France*. Besides, the allies, though they profess to wish for the prosperity of France, do not shew any haste in making peace, while, on the other hand, Napoleon repeatedly declares, that he has actually accepted of the preliminaries, which they have proposed to him.—The people of France must, hence, naturally conclude, that the Allies are not so moderate in their views as they profess to be; they must conclude that some latent design exists of putting in execution schemes not yet avowed; and, in this state of mind, it appears to me very improbable, that they should aid the cause of the Allies by any rising against Napoleon, or by any unwillingness to repel the invaders.—It is not to be doubted, that France contains a great number of disaffected persons; but, these must

chiefly be *Republicans*; and, it is impossible to say how far their disaffection might carry them in the hope of rebuilding the Republic upon his ruin. They may, too, be more powerful, in a moment of alarm, than he supposes. It is possible, that his death, and the meeting of a provisionary republican government, may be announced to ever-gaping London without a moment's previous warning. But, if this be very *unlikely*, it is, I think, many degrees *more unlikely*, that the people of France should declare for, or in any way side with, those powers, from whose success they must naturally dread the overthrow of their present laws, which are the sole guarantee of their property.—If, indeed, we believe what our news-papers assert respecting Napoleon, we ought to suppose, that every man in France has a dagger for his heart. If we believe, that he poisoned his own sick soldiers, and that, upon another occasion, he buried some of them alive, and threw hot-lime into the pits upon them; if we believe these things, we must believe that all France holds him in abhorrence. But, common sense, to say nothing of the *want of proof*, and of the strong presumptive proofs on the other side, forbid us to believe those bloody tales, the fruit of a desire to profit from the credulity and the fear-begotten prejudice of the most credulous and duped people in the whole world.—Under the name of BURDON, it is, in the Times news-paper, asserted, that Buonaparte caused his wounded soldiers to be buried alive at a certain place in Italy; and the way the publisher goes to work to *establish* the fact is this. “The fact,” says he, “has been published, in this country, these *nine years*, and has never yet been *disproved*. Let it be disproved if it can *be*; and, if it be *not disproved*, it must, of course, be admitted to be true. *Therefore*, Napoleon caused his wounded soldiers to be buried alive.”—Now, reader, what must that public be supposed to be; in what a light must the public intellect and justice be viewed, when a public writer can make use of such a mode of *establishing* an important historical fact? What, in short, is the state of mind, to which that public is arrived, to whom an interested writer, wishing to *please* that public, could address such an article?—Is this the way that just men, that men impartial and not blinded by prejudice, go to work to establish, or to verify, accusations? Upon this principle

all the ill, asserted of any man, must be believed without any proof. What was asserted, for example, against the Prince Regent by Messrs. Hunts, must, upon this principle, be regarded as *quite true*, because it has not been *disproved*. If one man accused another of theft, the business, at the trial, would not be to produce *proof of the guilt*, but *proof of the innocence*. So, that this Mr. BURDON, whoever he is, is to accuse any one whom he chooses to pick out of any crime that he chooses to name, and the accused party is to be looked upon as *guilty*, until he comes forward and produces proof of his innocence.—Yet, upon this principle, it is, that the accusations against the humanity of Napoleon have obtained a currency in this country. There is not, as far as I have observed, any one of those accusations, which stands upon proof, which would be thought sufficient to commit a man on an accusation of stealing turnips or robbing an orchard. It is all assertion, founded on mere hearsay, or sent forth without even alleged hearsay to sanction it. The assertions respecting his heroic humanity stand upon a different foundation. The facts are recorded in the histories of his campaigns; they are published amongst a people, who could not be easily deceived; they are accompanied with precise dates, with the names of parties present, with numerous minute details, and they appeal to a great number of living witnesses. CRETELLE, in his history of the Revolution, relates, that Buonaparté, during his campaign in Asia, and at a time when many of his soldiers were dying with the plague, finding the soldiers in health disinclined to attend the sick for fear of the mortal contagion, went himself to the pest-house, and, in the presence of his aids-du-camp and others, went up to the beds of those who were in the worst stages of the malady, took them by the hand, saluted them in the kindest manner,

and thus, by risking his own life, overcame that fear which prevented his unfortunate comrades in arms from receiving the assistance so necessary to their recovery.—It is impossible to doubt of the truth of this fact. *How* invent it? *Why* invent it? Why should the author, a man of great talents and great literary reputation, hazard his reputation in such a way? This fact stands upon a foundation very different indeed from the facts of Sir Robert Wilson, Mr. Burdon, and all that anonymous and abusive rabble of writers, in this country, who administer food to the prejudice of a public, who, in the case of Napoleon, will bear to be told, that the burden of proof lies, not on the *accuser*, but on the *accused*.—If this fact be true, is it likely, that those of Sir Robert Wilson and Mr. Burdon are true? Is it *possible*? I think that any man of common sense and common candour must answer in the negative.—If we were not wilfully blind, we must perceive, besides, that Napoleon has many qualities (qualities which no one denies him), calculated to make him an object of respect with the people.—Upon all occasions he shares the toils and the dangers of his armies. His attention to public business is almost incessant. He is sober. His associates, or those who appear to be most confided in by him, are men famed for their talents, in their several stations, for their wisdom, for their application to business. His hours of recreation are not spent at the gaming table, but in the manly exercises of the field.—And yet this is the man, whom our news-writers denominate a *monster*, though he is the son-in-law of our august ally, the Emperor of Austria! This is the man, because they submit to whose sway, these writers call the people of France *base slaves*, deserving the severest chastisement!—If, indeed, Napoleon were a half-mad tyrant; if he were a sort of malignant idiot, who, while he kept

his own worthless carcass safe within the palace of St. Cloud, made it his sport to send forth armies to butcher or be butchered; if he were a drunkard, a sot, a gambler, a swindler, a man, who, if in common life, would be kicked out of every hotel in Paris; if he were an emaciated creature, incapable of any sort of exertion bodily or mental; if his mornings were spent in bed, his noons at the toilette in the midst of washes, pastes, and baubles; his nights, sometimes amongst that description of battered females who would condescend to flatter the loathsome impotence from which youth and beauty would turn with disdain, though approaching them in a shower of gold, and sometimes amongst roaring drunkards, professed gamblers, blacklegs (if there be any such in France), rotten rakes, parasites, and pimps.—If, indeed, Napoleon were a man, if *man* such a wretch might be called; if he were a man of this description, then might we justly accuse the people of France of *baseness* in patiently submitting to his sway; then, indeed, when we heard them cry, *Vive l'Empereur!* and thus glory in their shame, we might justly call them the *basest of slaves*. In such a case every expression of praise, bestowed on him or his house, would stamp him who used it with the character of slave. In

such a case to *boast* of being under his sway would call, with irresistible voice, for our hatred, and not only for the hatred of this nation but for that of all mankind; for, in such a case, the people of France would be a dishonour to the name and form of man.—But, if Napoleon be none of this; if he be *precisely the contrary* of the imaginary character that I have drawn, with what justice do we, or some of us, revile the people of France; with what justice do we abuse them, load them with every epithet and term expressive of contempt, for submitting to be ruled by him?—I have now done with my proposed subject; and I have only to add, that, if what I have said, contain any force, whether in the facts or the arguments that I have advanced, it will require, to answer it, something more than mere *censure of me*, or than the *imputation of bad motives*. I have not the vanity to hope, that what I have said will produce much effect; but, I am of opinion, that, unless the people of this country, by their discountenance thereof, put a stop to this incessant torrent of outrageous abuse against the French Emperor and nation, they will in vain look for that *peace* which they appear so anxiously to desire, and which is so necessary to the prosperity of all Europe.

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